

ORDINANCE NO. 2014-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
GRAPEVINE, TEXAS, AMENDING THE GRAPEVINE CODE
OF ORDINANCES, CHAPTER 25 UTILITIES AND
SERVICES, ARTICLE III SOLID WASTE DISPOSAL;
PROVIDING A SEVERABILITY CLAUSE; DECLARING AN
EMERGENCY AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on June 1, 1995, by passage of Ordinance No. 95-35 the City of Grapevine, Texas granted Laidlaw Waste Systems, Inc. a franchise agreement to provide for solid waste services for both residential and commercial customers for a ten (10) year period; and

WHEREAS, on September 18, 2001, by passage of Ordinance No. 2001-67 the City of Grapevine, Texas granted Laidlaw Waste Systems, Inc. an extension of the franchise agreement to provide for solid waste services for both residential and commercial customers for one (1) additional five (5) year period, commencing on June 1, 2005; and

WHEREAS, Laidlaw Waste Systems, Inc. was renamed Trinity Waste Services, Inc.; and

WHEREAS, Trinity Waste Services, Inc. was renamed, Allied Waste Services Inc.; and

WHEREAS, Allied Waste Services Inc. was renamed, Allied Waste Services of Fort Worth, LLC.; and

WHEREAS, on July 20, 2010, by passage of Ordinance No. 2010-30 the City of Grapevine, Texas extended the term of the franchise five (5) years commencing on August 1, 2010; and

WHEREAS, on September 18, 2012, by passage of Ordinance No. 2012-44 the City of Grapevine, Texas extended the term of the franchise five (5) years commencing on November 1, 2012; and granted Republic Services an automatic renewal of the franchise agreement for one (1) additional five (5) year period, commencing on November 1, 2017; and

WHEREAS, the City Council desires to improve residential recycle service by having Republic Services provide clean brush and yard waste service; and

WHEREAS, Republic Services has requested an every other week collection schedule for bulky wastes to commence on March 5, 2014.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS:

Section 1. That the above premises are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.

Section 2. That Chapter 25 Utilities and Services, Article III, Solid Waste Disposal, is hereby amended by amending Section 25-91 to read as follows:

"Sec. 25-91. Containers-Required.

Every owner, occupant, tenant, or lessee using or occupying any building, house or structure within the city for residences, churches, schools, colleges, lodges, commercial business and other purposes shall provide and maintain garbage, trash, and yard waste containers of sufficient number and size, as hereinafter specified, to hold the garbage, trash, and yard waste that will normally accumulate on the premises."

Section 3. That Chapter 25 Utilities and Services, Article III, Solid Waste Disposal, is hereby amended by amending Section 25-92 to read as follows:

"Sec. 25-92. Same--Specifications.

Each of said owners, occupants, tenants or lessee shall provide containers for garbage, trash and yard waste, each to be not more than 33-gallons capacity, constructed of plastic."

Section 4. That Chapter 25 Utilities and Services, Article III, Solid Waste Disposal, is hereby amended by amending Section 25-94 in its entirety to read as follows:

"Sec. 25-94. Same--Placement for emptying.

The owner, occupant, tenant, or lessee of the premises shall place the container, such container having no more than a 33-gallon capacity and weighing less than 50 pounds, in the required front yard or right-of-way. Containers shall not be placed in the required front yard or right-of-way more than 12 hours prior to the day of pickup. All containers shall be placed at the foregoing prescribed locations not later than 7:00 a.m. on the day of scheduled collection if they are to be picked up. Dumpsters shall not be placed in the right-of-way or required front yard of any premises. The development services director may approve the location of dumpsters in the required front yards, provided he finds there is no other location on the lot suitable for storage and access to the dumpster. All dumpsters located within the City of Grapevine shall conform to all requirements of this section within 60 days of the adoption of this section."

Section 5. That Chapter 25 Utilities and Services, Article III, Solid Waste Disposal, is hereby amended by amending Section 25-97(a) to read as follows:

“Sec. 25-97. Service rates--Schedules.

(a) Any houses, buildings or premises used for residential purposes, shall have their garbage and trash removed at a monthly charge where such collection and removal is not required in excess of twice each week and have their recyclable materials removed once per week. Same houses, buildings or premises used for residential purposes shall have their bulky wastes, brush and yard waste removed on weeks as follows:

- Clean Yard Waste and Brush on the first and third Wednesday of each month
- Yard Waste, Brush and Bulky Wastes on the second, fourth and fifth Wednesday of each month

with such rates established annually by ordinance.

Monthly Charge

Single-family residential	\$12.51
Single-family residence without city water service	12.51
Duplex	25.02
Multifamily, per unit (without dumpster container)	12.51”

Section 6. That if any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto any person or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 7. That the fact that the present ordinances and regulations of the City of Grapevine, Texas are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the inhabitants of the City of Grapevine, Texas, creates an emergency for the immediate preservation of the public business, property, health, safety and general welfare of the public which requires that this ordinance shall become effective from and after the date of its passage, and it is accordingly so ordained.

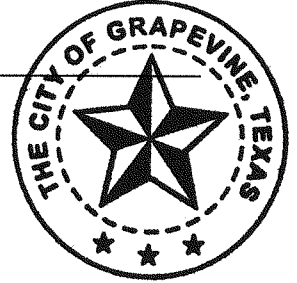
Section 8. That the effective date of this service adjustment will be March 5, 2014.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 21st day of January, 2014.

APPROVED:



William D. Tate
Mayor

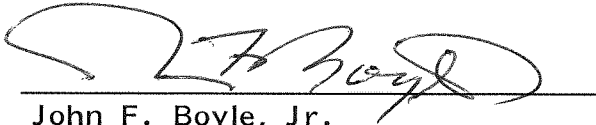


ATTEST:



Jodi C. Brown
City Secretary

APPROVED AS TO FORM:



John F. Boyle, Jr.
City Attorney